

**FILED**  
**JANUARY 22, 2008**  
 MICHAEL W. DOBBINS  
 CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF ILLINOIS  
 EASTERN DIVISION

**08 C 471**

CHICAGO REGIONAL COUNCIL OF )  
 CARPENTERS, UNITED BROTHERHOOD )  
 OF CARPENTERS AND JOINERS )  
 OF AMERICA, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 A&E CONTRACTING, INC., )  
 )  
 Defendant. )

Case No.

Judge

Magistrate Judge

**JUDGE LINDBERG**  
**MAGISTRATE JUDGE ASHMAN**

**PETITION FOR ENFORCEMENT OF ARBITRATION AWARD**

NOW COMES the plaintiff, the CHICAGO REGIONAL COUNCIL OF CARPENTERS, UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, by its attorneys, Travis J. Ketterman and Amy Elizabeth Paluch Epton, and for its Petition to Enforce Arbitration Award states as follows:

1. This is an action brought by the Chicago Regional Council of Carpenters, United Brotherhood of Carpenters and Joiners of America to enforce an arbitration award.

2. Plaintiff, the Chicago Regional Council of Carpenters, United Brotherhood of Carpenters and Joiners of America ("Union"), is an unincorporated voluntary association, with its principal place of business at 12 East Erie Street, Chicago, Illinois. The Union is a labor organization as defined under Section 301 of the Labor Management Relations Act, as amended, 29 U.S.C. § 185.

3. Defendant, A & E CONTRACTING, INC., is an Illinois corporation with its principal place of business at 1420 Middlebury Drive, Aurora, Illinois. Defendant is an employer engaged in an industry affecting commerce, within the meaning of 29 U.S.C. § 185.

4. This Court has jurisdiction of this action, pursuant to Section 301 of 29 U.S.C. § 185, as a suit for violation of a collective bargaining agreement between an employer and a

labor organization representing employees in an industry affecting commerce. This Court also has jurisdiction of this action, pursuant to the United States Arbitration Act, 9 U.S.C.S. §9, as a suit for confirmation of an arbitration award.

5. Venue is proper in the Northern District of Illinois, Eastern Division, pursuant to 29 U.S.C. §185, because this is the District where the parties reside, where the cause of action arose, where all parties maintain their principal offices, and where representatives of the Union are engaged in representing or acting for their members. Venue is also proper in the Northern District of Illinois, Eastern Division, pursuant to 9 U.S.C.S. §9, as the arbitration award was made in this District.

6. On July 1, 2007, defendant, A&E CONTRACTING, INC., entered into an Agreement whereby defendants agreed to be bound by the provisions of a Collective Bargaining Agreement (“CBA”) Section, that defined the wages and benefits to be paid Union employees under the employ of defendants. (**Exhibit A, Collective Bargaining Agreement, Section XVIII**).

7. The Agreement incorporated the terms of the Area Agreement, which bound defendants to the grievance procedure and to final and binding arbitration.

8. Subsequent to defendants signing the Agreement, the Union learned of wage claims against defendants for Union members David Bachman, Larry Carroll, Gary Conner, Lawrence Noga and Eric Stolfa.

9. The Union demanded arbitration of this claim, in accordance with the grievance and arbitration procedures contained in the Agreement.

10. On January 7, 2008 the Arbitrator assigned to hear the two claims issued an award in favor of the Union and against defendant for the claim. (**Exhibit B**). The Award included wages and benefits to: David Bachman, \$1,208.64 (wages); Larry Carroll, \$1,208.64 (wages); Gary Conner, \$2,794.98 (wages); Lawrence Noga, \$270.05 (wages); and Eric Stolfa, \$441.90 (wages). The Award further included benefits owed to: David Bachman, \$528.00; Larry Carroll, \$528.00; Gary Conner, \$1,221.00; Lawrence Noga, \$181.50; and Eric Stolfa, \$297.00.

WHEREFORE, for the foregoing reasons, Plaintiff prays that this Honorable Court:

- A. Issue an Order confirming the January 7, 2008 Opinion and Arbitration Award and enforcing the Award and judgment thereon,
- B. Grant plaintiff such other and further relief as the Court deems just and equitable.

CHICAGO REGIONAL COUNCIL OF  
CARPENTERS, UNITED BROTHERHOOD OF  
CARPENTERS AND JOINERS OF AMERICA,

By: /s/ Amy Elizabeth Paluch Epton

Travis J. Ketterman (#6237433)  
Amy Elizabeth Paluch Epton (6278817)  
WHITFIELD MCGANN & KETTERMAN  
Attorney for Plaintiffs  
111 East Wacker Drive, Suite 2600  
Chicago, IL 60601  
(312) 251-9700 Fax (312) 251-9701